IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION

3:12cv327-V (3:97cr23)

AQUILIA MARCIVICCI BARNETTE,)
Petitioner,)
vs.	ORDER
UNITED STATES OF AMERICA,)
Respondent.)
)

THIS MATTER is before the Court upon Petitioner Aquilia Barnette's motion to file certain exhibits under seal. ECF No. 72. Also before the Court is Petitioner's motion to file certain sealed documents conventionally. ECF No. 79.

On December 22, 2014, Petitioner filed a motion for evidentiary hearing, with exhibits. ECF Nos. 73-74. The exhibits total 14,844 Bates Stamped pages. Index, ECF No. 74. Counsel for Petitioner represent that they have redacted social-security numbers, taxpayer identification numbers, birth dates, names of persons known to be minors, and home addresses from most of the documents. Counsel contend that redaction of this information from the remainder of the documents (medical records, military records, school records, prison records, and social history reports) is extremely cumbersome, unduly difficult, and would render the documents unreadable.

Counsel seek permission to file the following exhibits, with accompanying Bates stamp numbers, under seal:

- Post-Conviction Report by Zachary Rowles (00232-00259)
- Materials from Cessie Alfonso (00422-00706)

- File of Jan Barefoot	(00722 - 01742)
- School Records of Derrick Barnette	(01819-01823)
- Military Records of Derrick Barnette	(01824-01915)
- School Records of Petitioner	(02101-02154)
- Medical Records of Petitioner	(02155-02303)
- Federal Bureau of Prisons Records of Petitioner	(02350-03766)
- FMC Butner Records of Petitioner	(03767-03921)
- School Records of Mario Barnette	(03935-03958)
- Medical Records of Mario Barnette	(03959-04001)
- School Records of Sonia Barnette	(04074-04076)
- Medical Records of Sonia Barnette	(04077-04245)
- CMPD Criminal Records	(04918-04974)
- Military Records of Jesse Cooper	(05156-05253)
- Dept. of VA Records of Jesse Cooper	(05254-05451)
- Medical Records of Jesse Cooper	(05452-13474)
- Report of Sindy Maxwell	(14417-14447)
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Additionally, counsel seek to file Petitioner's Federal Bureau of Prisons records and Jesse Cooper's military, Department of Veterans Affairs, and medical records conventionally due to their size. Counsel would file these documents on a computer diskette.

For the reasons stated in the Motions, and pursuant to Rule 49.1 of the Federal Rules of Criminal Procedure, Rule 5.2 of the Federal Rules of Civil Procedure, LCrR 55.1, and LCvR 6.1 the Court shall grant both Motions. Counsel will be directed to provide Respondent with a copy of the diskette containing the conventionally filed documents

IT IS, THEREFORE, ORDERED that:

- 1. Petitioner's Motion to Seal Certain Exhibits, ECF No. 72, is **GRANTED**.
- Petitioner's Motion to File Certain Exhibits Conventionally and Under Seal, ECF No.
 is GRANTED.
- 3. The Clerk of Court shall file the above-referenced exhibits under seal and provide access only to the Court and the parties.
- 4. Counsel for Petitioner shall provide a copy of the diskette containing the

conventionally filed documents to Respondent within five days of the filing of this Order.

SO ORDERED.

Signed: January 7, 2015

Richard L. Voorhees United States District Judge